

AMENDED IN SENATE JULY 14, 2003

AMENDED IN SENATE JUNE 26, 2003

AMENDED IN ASSEMBLY JUNE 3, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

## ASSEMBLY BILL

No. 658

**Introduced by Assembly Members Nakano and Jerome Horton**

February 19, 2003

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An act relating to local government reorganization and declaring the urgency thereof, to take effect immediately.

### LEGISLATIVE COUNSEL'S DIGEST

AB 658, as amended, Nakano. Local government reorganization.

Existing law concerning reorganization proceedings *and redevelopment projects* for cities specifies ~~the time periods within which the local agency formation commission is required to give notice of protest hearings and to conduct those hearings on its approval~~ a time period of 60 days from the date of the determination by the local agency formation commission or the redevelopment agency within which an action must be brought to determine the validity of a ~~proposed~~ completed reorganization or the adoption of a redevelopment plan.

This bill would ~~revise those time periods as specified~~ require that an action to determine the validity of the proposed reorganization or an amendment to Redevelopment Project Area No. 2 with respect to a proposed reorganization consisting of the detachment of specified federal military property from the City of El Segundo and its annexation to the City of Hawthorne *be brought within 30 days of the action to*

*approve the proposed reorganization or the amendment to the redevelopment project area.*

This bill would make legislative findings and declarations that a special law is necessary.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. For the purposes of a proposed reorganization  
2 consisting of the detachment of approximately 40 acres of federal  
3 military property from the City of El Segundo and the annexation  
4 of that detached territory to the City of Hawthorne, after the local  
5 agency formation commission has approved the proposal, the  
6 commission shall conduct proceedings pursuant to Part 4  
7 (commencing with Section 57000) of Division 3 of Title 5 of the  
8 ~~Government Code except as follows:~~

9 ~~(a) The commission shall set the proposal for hearing and give~~  
10 ~~notice of that hearing as provided in Chapter 4 (commencing with~~  
11 ~~Section 56150) of Part 1 of Division 3 of Title 5 of the Government~~  
12 ~~Code except that notice shall be made at least 15 days prior to the~~  
13 ~~date specified in the notice for hearing.~~

14 ~~(b) Notwithstanding Section 57002 of the Government Code,~~  
15 ~~the executive officer of the commission shall set the proposal for~~  
16 ~~hearing and give notice of that hearing within 15 days following~~  
17 ~~the adoption of the commission's resolution making~~  
18 ~~determinations on the proposal.~~

19 ~~(c) Notwithstanding Sections 57002 and 57050 of the~~  
20 ~~Government Code, or any other provision of Division 3~~  
21 ~~(commencing with Section 56000) of Title 5 of the Government~~  
22 ~~Code, the date of the hearing shall not be less than 15 days nor more~~  
23 ~~than 25 days after the date the notice is given. The hearing may be~~  
24 ~~continued from time to time but not to exceed five days from the~~  
25 ~~date specified for the hearing in the notice.~~

26 ~~(d) Notwithstanding Section 57075 of the Government Code,~~  
27 ~~the commission, not more than 15 days after the conclusion of the~~  
28 ~~hearing, shall make a finding regarding the value of written~~  
29 ~~protests filed and not withdrawn and take one of the actions~~



1 ~~specified in Section 57075.~~ *Government Code. However,*  
2 *notwithstanding Section 56103 of the Government Code and*  
3 *Section 860 of the Code of Civil Procedure, an action to determine*  
4 *the validity of the proposed reorganization described in this*  
5 *section shall be brought within 30 days of the date prescribed in*  
6 *Section 56102 of the Government Code.*

7 SEC. 2. *Notwithstanding Section 33501 of the Health and*  
8 *Safety Code and Section 860 of the Code of Civil Procedure, an*  
9 *action to determine the validity of the proposed amendment to*  
10 *Redevelopment Project Area No. 2 in the City of Hawthorne shall*  
11 *be brought within 30 days of the date prescribed in Section 33500*  
12 *of the Health and Safety Code.*

13 SEC. 3. The Legislature finds and declares that a special law  
14 is necessary and that a general law cannot be made applicable  
15 within the meaning of Section 16 of Article IV of the California  
16 Constitution because of the unique circumstances surrounding the  
17 status of Los Angeles Air Force Base. The facts constituting the  
18 special circumstances are as follows:

19 The threat of the closure of Los Angeles Air Force Base is real  
20 and imminent. In order to facilitate the plans of a partnership of the  
21 United States Air Force, the cities of El Segundo and Hawthorne,  
22 and private developers to preserve this vital component of the  
23 nation's homeland defense, military and intelligence capabilities,  
24 and partnerships with neighboring private aerospace companies,  
25 it is necessary to establish expedited reorganization procedures for  
26 the detachment and annexation of this federal military property.

27 ~~SEC. 3.—~~

28 SEC. 4. This act is an urgency statute necessary for the  
29 immediate preservation of the public peace, health, or safety  
30 within the meaning of Article IV of the Constitution and shall go  
31 into immediate effect. The facts constituting the necessity are:

32 In order for reorganization proceedings for the detachment of  
33 certain federal military property from the City of El Segundo and  
34 the annexation of that territory to the City of Hawthorne to be  
35 completed in a timely manner that will permit compliance with  
36 federal proceedings affecting that territory, it is necessary that this  
37 act go into effect immediately.